

## R430-100-11: SUPERVISION AND RATIOS.

- (1) The provider shall ensure that caregivers provide and maintain direct supervision of all children at all times.

### Rationale / Explanation

*Supervision of children is basic to the prevention of harm. Parents have an expectation that their children will be supervised when in the care of the provider. To be available for supervision as well as rescue in an emergency, a caregiver must be able to see and hear the children. Caregivers are to regularly assess the environment to see how their ability to see and hear children during activities might be improved. Many instances have been reported in which a child was hidden when the group was moving to another location or a child wandered off when a door was open. Regular counting of children can alert the caregiver to a missing child. CFOC, 3<sup>rd</sup> Ed. pgs. 64-66 Standard 2.2.0.1.*

### Enforcement

*This rule is out of compliance if there is no qualified caregiver in the room with the children. This rule is not out of compliance if there is a qualified caregiver in the room but his or her back is turned to the children or if a caregiver sends a school age child to do a brief errand out the classroom (for example, take something to the kitchen or office).*

*If a classroom does not have a bathroom in or adjacent to it, children age 3 and older may be go to the bathroom by themselves, as long as the Licensee has and follows a written policy that includes the following:*

- Only one child at a time from a classroom may be allowed to go to the bathroom by himself/herself. Another child cannot be allowed to leave to use the bathroom until the previous child has returned.*
- To make sure each child returns in a reasonable amount of time, the classroom caregiver must track the time each child is gone to use the bathroom,*
- Building exits must be effectively monitored to ensure that children sent to the bathroom do not leave the building.*
- If the children use a bathroom that is shared by the public (for example a gym, rec center, park bathroom, etc.), information regarding the supervision of children while in the bathroom.*

*Level 1 Noncompliance except as listed below for Level 2.*

*Level 2 Noncompliance if a large room is completely separated into smaller classrooms (so that children and caregivers do not have an opening or an open gate through which they can move freely between the divided classrooms) and one of the divided rooms does not have a caregiver present or if school age only children are unsupervised .*

- (2) Caregivers shall actively supervise children on the playground to minimize the risk of injury to a child.

### Rationale / Explanation

*Children like to test their skills and abilities. This is particularly true in outdoor playgrounds with playground equipment. Even if the highest safety standards for playground layout, equipment, and surfacing are met, serious injuries can still happen if children are left unsupervised. CFOC, 3<sup>rd</sup> Ed. pgs. 64-66 Standard 2.2.0.1.*

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### Enforcement

*Actively supervising children means the caregivers' attention is focused on the children at all times, and not on personal interests (such as visiting with other caregivers, talking on a cell phone, text messaging, reading, etc.) or non-caregiving duties. Caregivers are also to maintain awareness of the entire group even when interacting with small groups or individual children and position themselves so that all children playing on the playground are supervised.*

*If there are children on separate playgrounds and there is not an open gate between them, there must be a caregiver(s) in each of the playgrounds.*

*Children age 3 and older may be allowed to leave the playground to use the bathroom by themselves, as long as the Licensee has and follows a written policy that includes the following:*

- Only one child at a time from each group on the playground may be allowed to go to the bathroom by themselves. Another child cannot be allowed to leave to use the bathroom until the previous child has returned.*
- The caregiver must track the time each child is gone to use the bathroom, to make sure each child returns in a reasonable amount of time.*
- Building exits must be effectively monitored to ensure that children sent to the bathroom do not leave the building.*
- If the children use a bathroom that is shared by the public (for example a gym, rec center, park bathroom, etc.), information regarding the supervision of children while in the bathroom.*

*Always Level 1 Noncompliance.*

**(3) There shall be at least two caregivers with the children at all times when there are more than 8 children or more than 2 infants present.**

### Rationale / Explanation

*The purpose of this rule is so that there will be a second caregiver available to respond to emergencies if needed, while the other caregiver supervises the children. CFC, 3<sup>rd</sup> Ed. pgs. 4-6 Standard 1.1.1.2*

### Enforcement

*If ratios are in compliance with one caregiver and there are not more than 2 infants/toddlers in the group of children, the second caregiver can be any place at the facility and does not have to be with the group of children.*

*When infants and/or toddlers are combined with older children, the room/area will be assessed as an infant/toddler classroom and must meet the requirements for an infant/toddler room. For example, it must have a diaper changing station [100-23(1)] and sinks [100-4(5)], it cannot be used as access to other areas [100-4(6)].*

*This rule includes infants and toddlers who are children of center employees.*

*Level 1 Noncompliance if there are 2 or more infants or toddlers included in the group of more than 8 children, or if the group of children exceeds ratios.*

*Level 2 Noncompliance otherwise.*

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- (4) The licensee shall maintain the minimum caregiver to child ratios and group sizes in Table 4 for single age groups of children.

| TABLE 4<br>Minimum Caregiver to Child Ratios and Group Sizes |                 |               |                    |
|--|-----------------|---------------|--------------------|
| Ages of Children   | # of Caregivers | # of Children | Maximum Group Size |
| Birth – 23 months  | 1               | 4             | 8                  |
| 2 years old  | 1               | 7             | 14                 |
| 3 years old  | 1               | 12            | 24                 |
| 4 years old  | 1               | 15            | 30                 |
| 5 years old & school age                                     | 1               | 20            | 40                 |

### Rationale / Explanation

*An October 2005 legislative audit of the Child Care Licensing Program examined Utah's ratio rule specifically, and found that Utah's requirements are consistent with other states. The audit stated that Utah ratios are actually on the less restrictive end of the range used by states, and fall below the national standards for every age group. The audit concluded that Utah's rules are reasonable and justifiable.*

*The purpose of required caregiver to child ratios is to ensure that there are enough caregivers to adequately supervise children, ensure children's safety, and meet children's needs. Low caregiver to child ratios are most critical for infants and toddlers. Infant development and caregiving quality both improve when groups sizes and caregiver to child ratios are smaller. For 3- and 4-year-old children, the size of the group is even more important than ratios. Recommended ratios and group sizes for 3- and 4-year-olds allow these children to have the needed adult support and guidance while encouraging independent, self-initiated play and other activities. CFOC, 3<sup>rd</sup> Ed. pgs. 4-6 Standard 1.1.1.2 .*

*It is also important for caregiver to child ratios to be sufficiently low to keep caregiver stress below levels that could result in anger with children. Caring for too many children increases the possibility of stress for caregivers, and may result in loss of self-control. CFOC, 3<sup>rd</sup> Ed. pgs. 4-6 Standard 1.1.1.2 .*

*The American Academy of Pediatrics and the American Public Health Association recommend the following maximum caregiver to child ratios and group sizes. CFOC, 3<sup>rd</sup> Ed. pgs. 4-6 Standard 1.1.1.2*

| <u>Age</u>         | <u>Staff to Child Ratio</u> | <u>Maximum Group Size</u> |
|--------------------|-----------------------------|---------------------------|
| Birth – 12 months  | 1:3                         | 6                         |
| 13 – 30 months     | 1:4                         | 8                         |
| 31 – 35 months     | 1:5                         | 10                        |
| 3-year-olds        | 1:7                         | 14                        |
| 4- and 5-year-olds | 1:8                         | 16                        |
| 6 – 8-year-olds    | 1:10                        | 20                        |
| 9 – 12-year-olds   | 1:12                        | 24                        |

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### **Enforcement**

*A group with more than one caregiver may be temporarily out of ratio for brief periods of time if one caregiver leaves the room but remains in the center in order to meet the immediate needs of the children in his or her group, such as helping a child who is hurt, getting food for children, taking a sick child to the office, getting medication for a child, helping a child in the bathroom, helping a child change soiled clothing, etc. (Examples of tasks **not** related to meeting the immediate needs of the children in the group include: doing laundry or other housekeeping duties, making personal phone calls, taking a work break, etc.) **However, when this is done, Licensees must always remember that no caregiver under the age of 18 can ever be left alone with children, even for brief periods of time.***

*A group with more than one caregiver may be temporarily out of ratio very briefly if a staff person needs to use the bathroom and if there is no other employee present in the center (cook, director, receptionist, etc.) to assist in giving the caregiver a break.*

*Preschoolers and school age children may temporarily be in groups that exceed maximum group sizes for outdoor play, meal times, nap times, or if there is a special activity such as a puppet show, provided the required staff to child ratios are maintained.*

#### *Level 1 Noncompliance:*

*Infant/toddler groups: over ratio or group size by any amount  
Twos: over ratio or group size by 2 or more children  
Threes & Fours: over ratio or group size by 4 or more children  
Fives & School Age: over ratio or group size by 6 or more children*

#### *Level 2 Noncompliance:*

*Twos: over ratio or group size by 1 child  
Threes & Fours: over ratio or group size by 3 children  
Fives & School Age: over ratio or group size by 4-5 children*

#### *Level 3 Noncompliance:*

*Threes & Fours: over ratio or group size by 1-2 children  
Fives & School Age: over ratio or group size by 1-3 children  
When there is enough staff to be in ratio in each age group, but the children in one or more age groups are not grouped to meet the required ratios.*

**(5) A center constructed prior to 1 January 2004 which has been licensed and operated as a child care center continuously since 1 January 2004 is exempt from maximum group size requirements, if the required caregiver to child ratios are maintained, and the required square footage for each classroom is maintained.**

**(6) Mixed age groups shall meet the ratios and group sizes specified in Tables 5-15.**

### **Rationale / Explanation**

*See Rationale / Explanation for subsection (4) above. CFOC, 3<sup>rd</sup> Ed. pgs. 4-6 Standard 1.1.1.2.*

### **Enforcement**

*A group with more than one caregiver may be temporarily out of ratio very briefly if a staff person needs to use*

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*the bathroom and if there is no other employee present in the center (cook, director, receptionist, etc.) to assist in giving the caregiver a break.*

### *Level 1 Noncompliance:*

- *any group with infants or toddlers in it is over ratio or group size by any amount*
- *2s and 3s are over ratio or group size by 3 or more children*
- *3s and 4s are over ratio or group size by 4 or more children*
- *4s and 5s/school age are over ratio or group size by 5 or more children*
- *2s, 3s, and 4s are over ratio or group size by 3 or more children*
- *3s, 4s, and 5s/school age are over ratio or group size by 5 or more children*
- *2s, 3s, 4s, and 5s/school age are over or group size by 4 or more children*

### *Level 2 Noncompliance:*

- *2s and 3s are over ratio or group size by 2 children*
- *3s and 4s are over ratio or group size by 3 children*
- *4s and 5s/school age are over ratio or group size by 4 children*
- *2s, 3s, and 4s are over ratio or group size by 2 children*
- *3s, 4s, and 5s/school age are over ratio or group size by 4 children*
- *2s, 3s, 4s, and 5s/school age are over or group size by 3 children*

### *Level 3 Noncompliance:*

- *2s and 3s are over ratio or group size by 1 child*
- *3s and 4s are over ratio or group size by 1-2 children*
- *4s and 5s/school age are over ratio or group size by 1-3 children*
- *2s, 3s, and 4s are over ratio or group size by 1 child*
- *3s, 4s, and 5s/school age are over ratio or group size by 1-3 children*
- *2s, 3s, 4s, and 5s/school age are over or group size by 1-2 children*
- *When there is enough staff to be in ratio in each age group, but the children in one or more age groups are not grouped to meet the required ratios*



| TABLE 5<br>Two-year-olds and Three-year-olds |     |                          | TABLE 6<br>Two-year-olds and Four-year-olds |     |                          |
|--|-----|--------------------------|---|-----|--------------------------|
| # Caregivers Required                        | Age | # Children Present       | # Caregivers Required                       | Age | # Children Present       |
| 1  | 2   | 1-6                      | 1   | 2   | 1-6                      |
|  | 3   | 1-9                      |   | 4   | 1-10                     |
|  |     | Total Children: up to 10 |   |     | Total Children: up to 11 |
| 2  | 2   | 1-13                     | 2   | 2   | 1-13                     |
|  | 3   | 1-19                     |   | 4   | 1-21                     |
|  |     | Total children: up to 20 |   |     | Total children: up to 22 |

| TABLE 7<br>Two-year-olds and Five-twelve Year-olds |      |                          | TABLE 8<br>Three-year-olds and Four-year-olds |     |                          |
|--|------|--------------------------|---|-----|--------------------------|
| # Caregivers Required                              | Age  | # Children Present       | # Caregivers Required                         | Age | # Children Present       |
| 1  | 2    | 1-6                      | 1   | 3   | 1-11                     |
|  | 5-12 | 1-13                     |   | 4   | 1-13                     |
|  |      | Total Children: up to 14 |   |     | Total Children: up to 14 |
| 2  | 2    | 1-13                     | 2   | 3   | 1-23                     |
|  | 5-12 | 1-27                     |   | 4   | 1-27                     |
|  |      | Total children: up to 28 |   |     | Total children: up to 28 |

| TABLE 9<br>Three-year-olds and Five-twelve Year-olds |      |                          | TABLE 10<br>Four-year-olds and Five-twelve Year-olds |      |                          |
|--|------|--------------------------|--|------|--------------------------|
| # Caregivers Required                                | Age  | # Children Present       | # Caregivers Required                                | Age  | # Children Present       |
| 1  | 3    | 1-11                     | 1  | 4    | 1-14                     |
|  | 5-12 | 1-15                     |  | 5-12 | 1-17                     |
|  |      | Total Children: up to 16 |  |      | Total Children: up to 18 |
| 2  | 3    | 1-23                     | 2  | 4    | 1-29                     |
|  | 5-12 | 1-31                     |  | 5-12 | 1-35                     |
|  |      | Total children: up to 32 |  |      | Total children: up to 36 |

| TABLE 11<br>Two-year-olds, Three-year-olds, and Four-year-olds |     |                          | TABLE 12<br>Two-year-olds, Three-year-olds, and Five-twelve Year-olds |      |                          |
|--|-----|--------------------------|---|------|--------------------------|
| # Caregivers Required  | Age | # Children Present       | # Caregivers Required   | Age  | # Children Present       |
| 1  | 2   | 1-6                      | 1   | 2    | 1-6                      |
|  | 3   | 1-9                      |   | 3    | 1-11                     |
|  | 4   | 1-9                      |   | 5-12 | 1-11                     |
|  |     | Total Children: up to 11 |   |      | Total Children: up to 13 |
| 2  | 2   | 1-13                     | 2   | 2    | 1-13                     |
|  | 3   | 1-20                     |   | 3    | 1-24                     |
|  | 4   | 1-20                     |   | 5-12 | 1-24                     |
|  |     | Total children: up to 22 |   |      | Total children: up to 26 |

| TABLE 13<br>Two-year-olds, Four-year-olds, and Five-twelve Year-olds |      |                          | TABLE 14<br>Three-year-olds, Four-year-olds, and Five-twelve Year-olds |      |                          |
|--|------|--------------------------|--|------|--------------------------|
| # Caregivers Required  | Age  | # Children Present       | # Caregivers Required  | Age  | # Children Present       |
| 1  | 2    | 1-6                      | 1  | 3    | 1-11                     |
|  | 4    | 1-12                     |  | 4    | 1-14                     |
|  | 5-12 | 1-12                     |  | 5-12 | 1-14                     |
|  |      | Total Children: up to 14 |  |      | Total Children: up to 16 |
| 2  | 2    | 1-13                     | 2  | 3    | 1-23                     |
|  | 4    | 1-26                     |  | 4    | 1-30                     |
|  | 5-12 | 1-26                     |  | 5-12 | 1-30                     |
|  |      | Total children: up to 28 |  |      | Total children: up to 32 |

| TABLE 15<br>Two-year-olds, Three-year-olds, Four-year-olds, and Five-twelve Year-olds |      |                          |
|---|------|--------------------------|
| # Caregivers Required   | Age  | # Children Present       |
| 1   | 2    | 1-6                      |
|   | 3    | 1-11                     |
|   | 4    | 1-11                     |
|   | 5-12 | 1-11                     |
|   |      | Total Children: up to 14 |
| 2   | 2    | 1-13                     |
|   | 3    | 1-25                     |
|   | 4    | 1-25                     |
|   | 5-12 | 1-25                     |
|   |      | Total children: up to 28 |

For your convenience, this is a condensed version of the tables.  
The following pages have a bigger size version of the same tables.

| TABLE 5<br>Two-year-olds and Three-year-olds       |      |                          |
|--|------|--------------------------|
| # Caregivers Required                              | Age  | # Children Present       |
| 1  | 2    | 1-6                      |
|  | 3    | 1-9                      |
|  |      | Total children: up to 10 |
| 2  | 2    | 1-13                     |
|  | 3    | 1-19                     |
|  |      | Total children: up to 20 |
| TABLE 6<br>Two-year-olds and Four-year-olds        |      |                          |
| # Caregivers Required                              | Age  | # Children Present       |
| 1  | 2    | 1-6                      |
|  | 4    | 1-10                     |
|  |      | Total children: up to 11 |
| 2  | 2    | 1-13                     |
|  | 4    | 1-21                     |
|  |      | Total children: up to 22 |
| TABLE 7<br>Two-year-olds and Five-twelve Year-olds |      |                          |
| # Caregivers Required                              | Age  | # Children Present       |
| 1  | 2    | 1-6                      |
|  | 5-12 | 1-13                     |
|  |      | Total children: up to 14 |
| 2  | 2    | 1-13                     |
|  | 5-12 | 1-27                     |
|  |      | Total children: up to 28 |
| TABLE 8<br>Three-year-olds and Four-year-olds      |      |                          |
| # Caregivers Required                              | Age  | # Children Present       |
| 1  | 3    | 1-11                     |
|  | 4    | 1-13                     |
|  |      | Total children: up to 14 |
| 2  | 3    | 1-23                     |
|  | 4    | 1-27                     |
|  |      | Total children: up to 28 |

| TABLE 9<br>Three-year-olds and Five-twelve Year-olds                  |      |                          |
|---|------|--------------------------|
| # Caregivers Required   | Age  | # Children Present       |
| 1   | 3    | 1-11                     |
|   | 5-12 | 1-15                     |
|   |      | Total children: up to 16 |
| 2   | 3    | 1-23                     |
|   | 5-12 | 1-31                     |
|   |      | Total children: up to 32 |
| TABLE 10<br>Four-year-olds and Five-twelve Year-olds                  |      |                          |
| # Caregivers Required   | Age  | # Children Present       |
| 1   | 4    | 1-14                     |
|   | 5-12 | 1-17                     |
|   |      | Total children: up to 18 |
| 2   | 4    | 1-29                     |
|   | 5-12 | 1-35                     |
|   |      | Total children: up to 36 |
| TABLE 11<br>Two-year-olds, Three-year-olds, and Four-year-olds        |      |                          |
| # Caregivers Required   | Age  | # Children Present       |
| 1   | 2    | 1-6                      |
|   | 3    | 1-9                      |
|   | 4    | 1-9                      |
|   |      | Total children: up to 11 |
| 2   | 2    | 1-13                     |
|   | 3    | 1-20                     |
|   | 4    | 1-20                     |
|   |      | Total children: up to 22 |
| TABLE 12<br>Two-year-olds, Three-year-olds, and Five-twelve Year-olds |      |                          |
| # Caregivers Required   | Age  | # Children Present       |
| 1   | 2    | 1-6                      |
|   | 3    | 1-11                     |
|   | 5-12 | 1-11                     |
|   |      | Total children: up to 13 |
| 2   | 2    | 1-13                     |
|   | 3    | 1-24                     |
|   | 5-12 | 1-24                     |
|   |      | Total children: up to 26 |



| TABLE 13<br>Two-year-olds, Four-year-olds, and Five-twelve Year-olds                  |      |                          |
|---|------|--------------------------|
| # Caregivers Required   | Age  | # Children Present       |
| 1   | 2    | 1-6                      |
|   | 4    | 1-12                     |
|   | 5-12 | 1-12                     |
|   |      | Total children: up to 14 |
| 2   | 2    | 1-13                     |
|   | 4    | 1-26                     |
|   | 5-12 | 1-26                     |
|   |      | Total children: up to 28 |
| TABLE 14<br>Three-year-olds, Four-year-olds, and Five-twelve Year-olds                |      |                          |
| # Caregivers Required   | Age  | # Children Present       |
| 1   | 3    | 1-11                     |
|   | 4    | 1-14                     |
|   | 5-12 | 1-14                     |
|   |      | Total children: up to 16 |
| 2   | 3    | 1-23                     |
|   | 4    | 1-30                     |
|   | 5-12 | 1-30                     |
|   |      | Total children: up to 32 |
| TABLE 15<br>Two-year-olds, Three-year-olds, Four-year-olds, and Five-twelve Year-olds |      |                          |
| # Caregivers Required   | Age  | # Children Present       |
| 1   | 2    | 1-6                      |
|   | 3    | 1-11                     |
|   | 4    | 1-11                     |
|   | 5-12 | 1-11                     |
|   |      | Total children: up to 14 |
| 2   | 2    | 1-13                     |
|   | 3    | 1-25                     |
|   | 4    | 1-25                     |
|   | 5-12 | 1-25                     |
|   |      | Total children: up to 28 |

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- (7) Infants and toddlers may be included in mixed age groups only when 8 or fewer children are present in the group.

### Rationale / Explanation

*Infants need quiet, calm environments, away from the stimulation of older children and other groups. Toddlers are relatively new at basic motor skills such as walking, climbing, and running, and have slower reaction times. Both infants and toddlers are smaller than older children. Because of these developmental differences, mixing infants or toddlers with older, larger, and more physically developed children places the infants and toddlers at increased risk for unintentional injuries, such as being run in to, being knocked down, being pushed, shoved, sat on, etc. CFOC, 3<sup>rd</sup> Ed. pg. 59 Standard 2.1.2.4*

*Separation of infants from older children and non-caregiving adults is also important for reasons of disease prevention. Rates of hospitalization for all forms of acute infectious respiratory tract diseases are highest during the first year of life. Since most respiratory infections are spread from older children or adults to infants, exposure of infants to older children should be restricted, in order to limit infants' exposure to respiratory tract viruses and bacteria. CFOC, 3<sup>rd</sup> Ed. pg. 59 Standard 2.1.2.4*

### Enforcement

*If there are toddlers and twos in a group, the room where these children are cared for must be in compliance with requirements for a toddler room. For example, it must have a diaper changing station [100-23(1)] and sinks [100-4(5)]; it cannot be used as access to other areas [100-4(6)].*

*A group with more than one caregiver may be temporarily out of ratio very briefly if a staff person needs to use the bathroom and if there is no other employee present in the center (cook, director, receptionist, etc.) to assist in giving the caregiver a break.*

*This rule includes infants and toddlers who are children of center employees.*

*Infants and toddlers may be with older children for occasional special visitors and center programs but not for regularly scheduled activities.*

*Employees children age 4 and older do not count in ratios, but **do** count in the group size.*

- (8) If more than 2 infants or toddlers are included in a mixed age group, there shall be at least 2 caregivers with the group.

### Rationale / Explanation

*The purpose of this rule is so that there will be enough adults present to evacuate all children in the group, including infants and toddlers who must be carried, in the event of an emergency. CFOC, 3<sup>rd</sup> Ed. pgs. 4-6 Standard 1.1.1.2*

### Enforcement

*A group with more than one caregiver may be temporarily out of ratio very briefly if a staff person needs to use the bathroom and if there is no other employee present in the center (cook, director, receptionist, etc.) to assist in giving the caregiver a break. During this time all children need to be directly supervised.*

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*Employees children age 4 and older do not count in ratios, but **do** count in the group size.*

*This rule is out of compliance only when there are 8 or fewer children present in the group and the group includes more than 2 infants or toddlers and there is only one caregiver in the room with the children.*

*Always Level 1 Noncompliance.*

- (9) During nap time the caregiver to child ratio may double for not more than two hours for children age 18 months and older, if the children are in a restful or non-active state, and if a means of communication is maintained with another caregiver who is on-site. The caregiver supervising the napping children must be able to contact the other on-site caregiver without having to leave children unattended in the napping area.

### Rationale / Explanation

*Napping children require less supervision than awake children. However, there must still be enough caregivers present and available, without leaving children unattended, to evacuate all children from the facility in the event of an emergency. In addition, children presumed to be sleeping may actually be awake, and children may wake up before the scheduled nap time is over. CFOC, 3<sup>rd</sup> Ed. pgs. 4-6 Standard 1.1.1.2, pgs. 64-66 Standard 2.2.0.1.*

### Enforcement

*This rule applies only to nap times. For example, it does not apply to TV or movie times, or other less active times that are not nap times. If center staff have school age children nap as outlined in R430-100-18, then ratios in those school age rooms may be doubled during nap time. If center staff provide quiet time for homework, movies, etc., this is not considered to be a nap time and ratios cannot be doubled during these times.*

*If infants and toddlers are included in mixed age groups, the only time ratios can be doubled during nap time is if all the children are 18 months and older.*

*The rule does not allow doubling the ratio for infants at any time.*

*As children begin to wake up from naps, if less than half the group is awake and engaged in a quiet activity, such as looking at a book, putting together a puzzle, drawing or coloring, or using play dough, a classroom can still have half of the required number of caregivers. However, once half or more of the children are awake and off their nap mats or cots, the classroom must meet the required non-nap time ratios. This applies only to the maximum two hour nap time period.*

*Employees children age 4 and older do not count in ratios, but **do** count in the group size.*

*Always Level 1 Noncompliance.*

- (10) The children of the licensee or any employee, age four or older, are not counted in the caregiver to child ratios when the parent of the child is working at the center, but are counted in the maximum group size.

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### **Rationale / Explanation**

*This rule will be used to determine if a Licensee is in compliance with the rules on required capacity, caregiver to child ratios, and maximum group sizes.*

### **Enforcement**

*A child's parent is considered to be "working at the center" if they are on the clock at the center but have left to perform a work-related duty (for example, a bus run or buying center supplies) or if they are on a lunch or work break.*